

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

VERONICA BAXTER and AL-QUAN  
PIERCE,

Plaintiffs,

v.

Case No: 6:21-cv-718-CEM-LHP

CARSON HENDREN, WAYNE IVEY  
and EVELYN MIRANDA,

Defendants

---

**ORDER**

This cause came on for consideration without oral argument on the following  
motion filed herein:

**MOTION: PLAINTIFF'S OBJECTION TO DEFENDANTS' BILL  
OF COSTS (Doc. No. 121)**

**FILED: June 6, 2023**

---

**THEREON it is ORDERED that the motion is GRANTED in part  
and DENIED in part.**

Plaintiffs filed suit against Defendants on April 22, 2021, alleging civil rights  
violations pursuant to 42 U.S.C. § 1983. Doc. No. 1; *see also* Doc. No. 45. On May  
9, 2023, the Court dismissed Defendant Carson Hendren with prejudice and

granted summary judgment in favor of Defendants Wayne Ivey and Evelyn Miranda and against Plaintiffs. Doc. No. 116. The Clerk entered judgment accordingly the same day. Doc. No. 118. On May 23, 2023, Defendants filed a proposed Bill of Costs, in which they seek to tax costs in the total amount of \$21,973.44. Doc. No. 119. On June 6, 2023, Plaintiffs filed a notice of appeal, which remains pending before the Eleventh Circuit Court of Appeals as of the date of this Order. Doc. No. 120.

That same day, Plaintiffs also filed the above-styled “Objection to Defendants’ Bill of Costs.” Doc. No. 121. Plaintiffs object to the entirety of the costs sought, and also seek a stay of the issue of costs pending their appeal. *Id.* Defendants did not file a response to Plaintiffs’ objection, and the time to do so has long expired.

Upon review, the Court finds Plaintiffs’ request to stay the issue of costs pending the outcome of the appeal well taken. *See generally Truesdell v. Thomas*, No. 5:13-cv-552-Oc-10PRL, 2016 WL 7049252, at \*2 (M.D. Fla. Dec. 5, 2016) (“[D]eferred ruling on a motion for attorney’s fees and costs pending an appeal is a matter within the court’s discretion, and courts will defer ruling in the interests of judicial economy.”). Accordingly, Plaintiffs’ Objection to Defendants’ Bill of Costs (Doc. No. 121) is **GRANTED in part**, in that the Court will stay the issue of costs pending the outcome of the appeal. *See* Doc. No. 120. It is **ORDERED** that within

**twenty-one (21) days** of the issuance of the mandate by the Eleventh Circuit, Plaintiffs shall file a renewed motion to review Defendants' proposed Bill of Costs, which shall be filed in compliance with Local Rule 3.01(a).<sup>1</sup> Defendants shall respond to any such motion as provided in Local Rules 3.01(b), (c). The above-styled motion (Doc. No. 121) is **DENIED in all other respects**.

**DONE and ORDERED** in Orlando, Florida on September 14, 2023.

  
\_\_\_\_\_  
LESLIE HOFFMAN PRICE  
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record  
Unrepresented Parties

---

<sup>1</sup> Absent a timely renewed motion, the Court will treat the request for costs as unopposed.